

THIRTY-SEVENTH DAY

(Monday, March 20, 1995)

The Senate met at 11:00 a.m. pursuant to adjournment and was called to order by President Pro Tempore Barrientos.

The roll was called and the following Senators were present: Armbrister, Barrientos, Bivins, Brown, Cain, Ellis, Gallegos, Galloway, Harris, Haywood, Henderson, Leedom, Lucio, Madla, Moncrief, Montford, Nelson, Nixon, Patterson, Ratliff, Rosson, Shapiro, Sibley, Truan, Turner, Wentworth, West, Whitmire, Zaffirini.

Absent-excused: Luna, Sims.

A quorum was announced present.

The Reverend David L. Green, Interim Minister, First Christian Church, Lexington, offered the invocation as follows:

Almighty God, to You all hearts are open, and all desires are known. In You we live and move and have our being. In this place and on this day that You have made, we are called to be the creators of law: statutes for the protection and well-being of Your people and of all Your creation. Enable us to do more perfectly this work to which we have been called.

Help us to perceive Your unseen hand at work in the busyness of this day. Give us the ability to be good, strong, and wise servants of Your people, so that our work is a true reflection of the faith, the hope, and the love You have invested in each of us. For in all that we do, it is in Your holy name. Amen.

On motion of Senator Truan and by unanimous consent, the reading of the Journal of the proceedings of Thursday, March 16, 1995, was dispensed with and the Journal was approved.

LEAVES OF ABSENCE

On motion of Senator Wentworth, Senator Luna was granted leave of absence for today on account of a death in the family.

On motion of Senator Truan, Senator Sims was granted leave of absence for today on account of illness.

CO-AUTHOR OF SENATE BILL 22

On motion of Senator Zaffirini and by unanimous consent, Senator Patterson will be shown as Co-author of **S.B. 22**.

CO-AUTHOR OF SENATE BILL 945

On motion of Senator Sims and by unanimous consent, Senator Wentworth will be shown as Co-author of **S.B. 945**.

CO-AUTHOR OF SENATE BILL 946

On motion of Senator Sims and by unanimous consent, Senator West will be shown as Co-author of **S.B. 946**.

CO-AUTHOR OF SENATE BILL 947

On motion of Senator Sims and by unanimous consent, Senator West will be shown as Co-author of **S.B. 947**.

CO-AUTHOR OF SENATE BILL 1069

On motion of Senator Sims and by unanimous consent, Senator Ellis will be shown as Co-author of **S.B. 1069**.

CO-AUTHOR OF SENATE BILL 1189

On motion of Senator Sims and by unanimous consent, Senator Lucio will be shown as Co-author of **S.B. 1189**.

CO-AUTHOR OF SENATE BILL 1196

On motion of Senator Sims and by unanimous consent, Senator Lucio will be shown as Co-author of **S.B. 1196**.

CO-AUTHOR OF SENATE BILL 1197

On motion of Senator Sims and by unanimous consent, Senator Wentworth will be shown as Co-author of **S.B. 1197**.

CO-SPONSOR OF HOUSE JOINT RESOLUTION 34

On motion of Senator Brown and by unanimous consent, Senator Lucio will be shown as Co-sponsor of **H.J.R. 34**.

BILLS AND RESOLUTIONS SIGNED

The Presiding Officer announced the signing of the following enrolled bills and resolutions in the presence of the Senate after the captions had been read:

H.C.R. 133	S.C.R. 77
S.C.R. 54	S.B. 238
S.C.R. 75	S.B. 8 (Signed subject to Art. III, Sec. 49a of the Constitution)

MESSAGE FROM THE HOUSE

House Chamber
March 20, 1995

Mr. President: I am directed by the House to inform the Senate that the House has passed the following:

H.B. 721, Relating to the control of rabies; providing criminal penalties.

H.C.R. 136, Recognizing March 22, 1995, as Paris-Lamar County Day at the Capitol.

Respectfully,
Cynthia Gerhardt, Chief Clerk
House of Representatives

INTRODUCTION OF BILLS AND RESOLUTIONS POSTPONED

The Presiding Officer announced that the introduction of bills and resolutions on first reading would be postponed until the end of today's session.

PERMISSION TO INTRODUCE BILLS

On motion of Senator Truan and by unanimous consent, Article III, Section 5 of the Texas Constitution and Senate Rule 7.07(b) were suspended to permit the introduction of the following bills:

S.B. 1597

S.B. 1598

S.B. 1599

S.B. 1600

S.B. 1601

CAPITOL PHYSICIAN

The "Doctor for the Day," Dr. Samuel T. Coleridge of Fort Worth, was introduced to the Senate by Senator Moncrief.

The Senate expressed appreciation and gratitude to Dr. Coleridge for participating in the "Capitol Physician" program sponsored by the Texas Academy of Family Physicians.

GUESTS PRESENTED

Senator Cain was recognized and introduced to the Senate a group of students from Fruitvale High School in northern Van Zandt County and their teacher, Barbara Fisher.

The Senate welcomed its guests.

SENATE RESOLUTION 481

Senator Sibley offered the following resolution:

S.R. 481, Commending and applauding the Cleburne High School Lady Yellowjackets basketball team and coaches on winning the 1995 State 4A Championship.

The resolution was read and was adopted by a viva voce vote.

CONCLUSION OF MORNING CALL

The Presiding Officer at 11:12 a.m. announced the conclusion of morning call.

SENATE BILL 65 ON SECOND READING

Senator Moncrief moved to suspend the regular order of business to take up for consideration at this time:

S.B. 65, Relating to minimum standards for smoking in certain public places or at certain public meetings; creating an offense and providing penalties.

The motion prevailed by the following vote: Yeas 25, Nays 4.

Yeas: Armbrister, Barrientos, Bivins, Brown, Cain, Ellis, Gallegos, Galloway, Harris, Haywood, Leedom, Lucio, Madla, Moncrief, Montford, Nixon, Patterson, Ratliff, Shapiro, Truan, Turner, Wentworth, West, Whitmire, Zaffirini.

Nays: Henderson, Nelson, Rosson, Sibley.

Absent-excused: Luna, Sims.

The bill was read second time.

Senator Moncrief offered the following amendment to the bill:

Floor Amendment No. 1

Amend S.B. 65 by deleting the added Subsection (c), Section 165.003, in SECTION 1 of the bill (committee printing page 1, lines 56-60) and substituting in lieu thereof the following:

(c) An offense under this section is a Class C misdemeanor.

The amendment was read and was adopted by a viva voce vote.

Senator Moncrief offered the following amendment to the bill:

Floor Amendment No. 2

Amend S.B. 65 by deleting the added Subdivision (3), Section 165.002, in SECTION 1 of the bill (committee printing page 1, lines 42-43) and substituting in lieu thereof the following:

(3) "State building" means a building wholly or partially owned or wholly leased by the state, but does not include property wholly leased for commercial purposes to a person or entity not a state agency or property wholly occupied by a commercial enterprise operated under a management agreement between a state agency and a person or entity not a state agency.

The amendment was read and was adopted by a viva voce vote.

The bill as amended was passed to engrossment by a viva voce vote.

RECORD OF VOTES

Senators Henderson, Nelson, Rosson, and Sibley asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

SENATE BILL 65 ON THIRD READING

Senator Moncrief moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S.B. 65 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 25, Nays 4.

Yeas: Armbrister, Barrientos, Bivins, Brown, Cain, Ellis, Gallegos, Galloway, Harris, Haywood, Leedom, Lucio, Madla, Moncrief, Montford, Nixon, Patterson, Ratliff, Shapiro, Truan, Turner, Wentworth, West, Whitmire, Zaffirini.

Nays: Henderson, Nelson, Rosson, Sibley.

Absent-excused: Luna, Sims.

The bill was read third time and was passed by a viva voce vote.

RECORD OF VOTES

Senators Henderson, Nelson, Rosson, and Sibley asked to be recorded as voting "Nay" on the final passage of the bill.

SENATE BILL 814 ON SECOND READING

On motion of Senator Brown and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 814, Relating to the requirement of commercial licenses to catch, unload, and sell aquatic products.

The bill was read second time and was passed to engrossment by a viva voce vote.

SENATE BILL 814 ON THIRD READING

Senator Brown moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **S.B. 814** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Luna, Sims.

The bill was read third time and was passed by a viva voce vote.

SENATE BILL 560 ON SECOND READING

On motion of Senator Patterson and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 560, Relating to disposal of abandoned vehicles.

The bill was read second time.

Senator Patterson offered the following committee amendment to the bill:

Committee Amendment No. 1

Amend **S.B. 560** by adding after "and this rule is hereby suspended" in Section 4 the following:
"and that this Act take effect and be in force from and after its passage, and it is so enacted".

The committee amendment was read and was adopted by a viva voce vote.

Senator Patterson offered the following amendment to the bill:

Floor Amendment No. 1

Amend **S.B. 560** by striking Section 3 of the bill (committee printing, page 1, line 65) and renumbering Section 4 of the bill as Section 3.

The amendment was read and was adopted by a viva voce vote.

The bill as amended was passed to engrossment by a viva voce vote.

SENATE BILL 560 ON THIRD READING

Senator Patterson moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **S.B. 560** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Luna, Sims.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0. (Same as previous roll call)

SENATE BILL 694 ON SECOND READING

On motion of Senator Montford and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 694, Relating to the exemption from tuition of a resident student enrolled in the Southwest Collegiate Institute for the Deaf.

The bill was read second time and was passed to engrossment by a viva voce vote.

SENATE BILL 694 ON THIRD READING

Senator Montford moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **S.B. 694** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Luna, Sims.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0. (Same as previous roll call)

COMMITTEE SUBSTITUTE**SENATE BILL 261 ON THIRD READING**

Senator Leedom moved that the regular order of business be suspended and that **C.S.S.B. 261** be placed on its third reading and final passage.

C.S.S.B. 261, Relating to certain charges in connection with a fine for violation of a motor vehicle law.

The motion prevailed by the following vote: Yeas 26, Nays 3.

Yeas: Armbrister, Barrientos, Bivins, Brown, Cain, Ellis, Galloway, Harris, Haywood, Henderson, Leedom, Lucio, Madla, Moncrief, Montford,

Nelson, Nixon, Patterson, Ratliff, Shapiro, Sibley, Turner, Wentworth, West, Whitmire, Zaffirini.

Nays: Gallegos, Rosson, Truan.

Absent-excused: Luna, Sims.

The bill was read third time and was passed by a viva voce vote.

RECORD OF VOTES

Senators Gallegos, Rosson, and Truan asked to be recorded as voting "Nay" on the final passage of the bill.

SENATE BILL 1234 REREFERRED

On motion of Senator Armbrister and by unanimous consent, **S.B. 1234** was withdrawn from the Committee on Finance and was rereferred to the Committee on State Affairs.

SENATE BILL 146 ON SECOND READING

On motion of Senator West and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 146, Relating to membership on community justice councils by state senators and representatives.

The bill was read second time.

Senator West offered the following committee amendment to the bill:

Committee Amendment No. 1

Amend **S.B. 146**, SECTION 1, by striking Subdivision (4), Subsection (a), Section 3, Article 42.131, and substituting the following:

(4) not more than two state legislators elected from a county to be served by the department, or in a county with a population of one million or more to be served by the department, not more than one state senator and one state representative elected from the county, chosen by the state legislators elected from the county or counties to be served by the department;

The committee amendment was read and was adopted by a viva voce vote.

The bill as amended was passed to engrossment by a viva voce vote.

SENATE BILL 146 ON THIRD READING

Senator West moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **S.B. 146** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Luna, Sims.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0. (Same as previous roll call)

SENATE BILL 885 ON SECOND READING

On motion of Senator Brown and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 885, Relating to workers' compensation benefits for professional athletes employed by the International Hockey League.

The bill was read second time and was passed to engrossment by a viva voce vote.

SENATE BILL 885 ON THIRD READING

Senator Brown moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **S.B. 885** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Luna, Sims.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0. (Same as previous roll call)

SENATE BILL 502 REREFERRED

On motion of Senator Leedom and by unanimous consent, **S.B. 502** was withdrawn from the Committee on Education and was rereferred to the Committee on Finance.

SENATE RULE 11.11 SUSPENDED (Posting Rule)

On motion of Senator Harris and by unanimous consent, Senate Rule 11.11 was suspended in order that the Committee on Administration might meet at 2:00 p.m. Wednesday, March 22, 1995, instead of Tuesday, March 21, 1995.

MOTION TO ADJOURN

On motion of Senator Truan and by unanimous consent, the Senate at 11:46 a.m. agreed to adjourn, upon completion of the introduction of bills and resolutions on first reading, until 11:00 a.m. tomorrow.

(Senator Shapiro in Chair)

HOUSE BILLS AND RESOLUTION ON FIRST READING

The following bills and resolution received from the House were read first time and referred to the committees indicated:

H.B. 427 to Committee on Economic Development.

H.B. 431 to Committee on Criminal Justice.

H.B. 556 to Committee on Criminal Justice.

H.B. 582 to Committee on State Affairs.
H.B. 669 to Committee on Natural Resources.
H.B. 677 to Committee on State Affairs.
H.B. 815 to Committee on Education.
H.B. 889 to Committee on State Affairs.
H.B. 1094 to Committee on Economic Development.
H.B. 1155 to Committee on Criminal Justice.
H.C.R. 65 to Committee on Natural Resources.

SENATE BILLS ON FIRST READING

The following bills were introduced, read first time, and referred to the committees indicated:

S.B. 1276 by Montford Criminal Justice
Relating to the creation and administration of the crime victims' institute and the crime victims' institute account.

S.B. 1277 by Sims Natural Resources
Subcommittee on Agriculture
Relating to pesticide worker protection standards.

S.B. 1278 by Luna, Ellis, Wentworth, Madla State Affairs
Relating to the rights of an owner or operator of a towed vehicle.

S.B. 1279 by Sibley Criminal Justice
Relating to the admissibility of evidence of other crimes, wrongs, or acts committed against a child in certain criminal cases.

S.B. 1280 by Sibley, Zaffirini, Bivins, Rosson, Education
Lucio, Madla, Nelson, Moncrief, Nixon, Sims
Relating to the creation of statewide preceptorship programs in general internal medicine and general pediatrics and the expansion of primary care residency positions.

S.B. 1281 by Sibley Education
Relating to security devices in housing owned or operated by certain public or private colleges or universities.

S.B. 1282 by Rosson Natural Resources
Relating to the authority of the School Land Board to dedicate permanent school fund land for public uses in exchange for non-monetary consideration.

S.B. 1283 by Rosson Intergovernmental Relations
Relating to rates for water supply or sewer services charged by the City of El Paso to residents of a certain area of El Paso County.

S.B. 1284 by Rosson Economic Development
Relating to amendment of Chapter 9, Insurance Code, as amended.

S.B. 1285 by Montford Finance
Relating to the allocation of certain funds to certain institutions of higher education.

- S.B. 1286** by Montford Jurisprudence
Relating to municipal courts of record in Odessa.
- S.B. 1287** by Madla Natural Resources
Relating to the imposition of a fee on the sale of oil filters and to oil filter recycling.
- S.B. 1288** by Madla Natural Resources
Relating to the prevention of groundwater pollution through certain wells.
- S.B. 1289** by Madla Jurisprudence
Relating to a records management and preservation fee in certain counties.
- S.B. 1290** by Madla Health and Human Services
Relating to a requirement that managed care health plans provide certain information to applicants for participation who are 61 years of age or older.
- S.B. 1291** by Madla Health and Human Services
Relating to the practice of perfusion.
- S.B. 1292** by Sibley Natural Resources
Relating to administrative penalties assessed by the Department of Agriculture.
- S.B. 1293** by Sibley Committee of the Whole Senate
on Legislative and Congressional Redistricting
Relating to senate apportionment and the staggering of senate terms.
- S.B. 1294** by Sibley Economic Development
Relating to the definition of hotel.
- S.B. 1295** by Montford State Affairs
Relating to use of the open market purchase procedure for certain state travel services.
- S.B. 1296** by Cain Jurisprudence
Relating to the notice of a proposed rule requirement in the Administrative Procedure Act.
- S.B. 1297** by Cain Finance
Relating to the issuance of bonds by East Texas State University.
- S.B. 1298** by Cain, Turner, Sibley, Zaffirini Education
Relating to the transfer of the Baylor College of Dentistry to The Texas A&M University System.
- S.B. 1299** by Cain, Turner, Ratliff Education
Relating to abolition of the board of regents of East Texas State University and the transfer of the institutions under that board to The Texas A&M University System.
- S.B. 1300** by Cain Economic Development
Relating to the use of unclaimed money of a local telephone exchange company to fund rural scholarships.

- S.B. 1301** by Cain Health and Human Services
Relating to physician licensing, including the notice and late fee requirements for the annual registration of physician licenses, the temporary licensure of certain out-of-state physicians, and the licensure of certain international medical graduates.
- S.B. 1302** by Cain Health and Human Services
Relating to the regulation of physician assistants; providing a criminal penalty.
- S.B. 1303** by Cain Health and Human Services
Relating to the practice of medicine, including the rehabilitation of impaired physicians, the creation and funding of the Physicians' Peer Health Assistance Program, and the unlicensed practice of medicine; providing a penalty.
- S.B. 1304** by Lucio Finance
Relating to an exception to the hotel occupancy tax.
- S.B. 1305** by Lucio Finance
Relating to the reservation of a portion of the state's tax-exempt private activity bonds for single-family housing for low-income families in certain counties.
- S.B. 1306** by Lucio Jurisprudence
Relating to actual and constructive notices to nonresidents served with process.
- S.B. 1307** by Cain Economic Development
To prohibit pyramid promotional schemes and to provide a penalty for promotion and participation in such schemes.
- S.B. 1308** by Cain Economic Development
Relating to telephone solicitations.
- S.B. 1309** by Cain State Affairs
Relating to the definition and regulation of Bingo.
- S.B. 1310** by Cain Economic Development
Relating to the payment of wages through electronic funds transfer.
- S.B. 1311** by Cain Economic Development
Relating to the prosecution of telemarketing fraud and to the granting of concurrent jurisdiction to the attorney general to prosecute telemarketing fraud offenses.
- S.B. 1312** by Armbrister Criminal Justice
Relating to initial training and continuing education for police chiefs.
- S.B. 1313** by Armbrister Natural Resources
Relating to facility response plans for hazardous liquids pipelines.
- S.B. 1314** by Armbrister State Affairs
Relating to the regulation and licensing of wholesale motor vehicle auctions.

- S.B. 1315** by Armbrister Finance
Relating to various fee provisions.
- S.B. 1316** by Armbrister State Affairs
Relating to the bodies interred in certain unknown and abandoned cemeteries.
- S.B. 1317** by Armbrister Natural Resources
Relating to the regulation and promotion of aquaculture; providing a penalty.
- S.B. 1318** by Barrientos Finance
Relating to the operation of the sexual assault program fund.
- S.B. 1319** by Armbrister Economic Development
Relating to rural communications; authorizing civil damages; and conforming certain laws to federal law.
- S.B. 1320** by Barrientos Education
Relating to the Martin Luther King, Jr. statue fee at The University of Texas at Austin.
- S.B. 1321** by Armbrister State Affairs
Relating to the purchase of goods and services by the state and to purchasing services provided by the state to local governments.
- S.B. 1322** by Armbrister Natural Resources
Relating to required procedures in contested cases before the Texas Natural Resource Conservation Commission involving the issuance, amendment, renewal, or revocation of certain permits.
- S.B. 1323** by Armbrister Finance
Relating to appraisal review boards.
- S.B. 1324** by Armbrister Finance
Relating to central appraisal districts.
- S.B. 1325** by Armbrister Finance
Relating to refunds of property taxes.
- S.B. 1326** by Armbrister Finance
Relating to the appraisal of property for tax purposes.
- S.B. 1327** by Montford Health and Human Services
Relating to the conveyance of certain real property by the Texas Department of Mental Health and Mental Retardation.
- S.B. 1328** by Montford Natural Resources
Relating to the release of the state's reversionary interest in certain real property located in Howard County.
- S.B. 1329** by Nelson Intergovernmental Relations
Relating to the use of impact fees by a municipality.
- S.B. 1330** by Nelson State Affairs
Relating to the sale of the lottery tickets of another state or government in this state; providing a criminal penalty.

- S.B. 1331** by Brown Natural Resources
Relating to the environmental permitting procedures of the Texas Natural Resource Conservation Commission under Chapters 26 and 27, Water Code, and Chapters 361 and 382, Health and Safety Code.
- S.B. 1332** by Patterson Natural Resources
Relating to protection of coastal resources.
- S.B. 1333** by Barrientos State Affairs
Relating to the operations, powers, and duties of the Texas Department of Housing and Community Affairs.
- S.B. 1334** by Barrientos Jurisprudence
Relating to the relationship between landlords and tenants.
- S.B. 1335** by Barrientos Intergovernmental Relations
Relating to the waiver of, moratorium on, or alternate use of municipal impact fees.
- S.B. 1336** by Moncrief Health and Human Services
Relating to the eligibility of the Texas Department on Aging to participate in certain block grant programs.
- S.B. 1337** by Moncrief, West Criminal Justice
Relating to a peace officer's responsibility for completing continuing education training programs required by the Commission on Law Enforcement Officer Standards and Education.
- S.B. 1338** by Moncrief, West Criminal Justice
Relating to the administration of the judicial and court personnel training fund.
- S.B. 1339** by Moncrief Intergovernmental Relations
Relating to certain conditions of employment for police officers in certain municipalities.
- S.B. 1340** by Moncrief Health and Human Services
Relating to the management of persons with communicable diseases and to laboratory tests of mycobacteria.
- S.B. 1341** by Moncrief Health and Human Services
Relating to the regulation of home and community support services; imposing penalties.
- S.B. 1342** by Moncrief State Affairs
Relating to an exemption from regulation under the Private Investigators and Private Security Agencies Act for certain providers of medical alert services and other electronic monitoring services.
- S.B. 1344** by Gallegos Jurisprudence
Relating to the authority of the attorney general to contract for goods and services subject to taxation as costs in a suit.
- S.B. 1345** by Luna Finance
Relating to emergency appropriations to The University of Texas at San Antonio.

- S.B. 1347** by West Natural Resources
Relating to securing or guaranteeing payment on in-kind sales through insurance contracts or other agreements.
- S.B. 1348** by West State Affairs
Relating to eligibility requirements for voting by persons convicted of a felony.
- S.B. 1349** by Montford Criminal Justice
Relating to subsequent evidentiary search warrants.
- S.B. 1350** by Montford Jurisprudence
Relating to venue for actions brought under the Tort Claims Act.
- S.B. 1351** by Montford Economic Development
Relating to provisions governing insurance fraud, creating a penal offense; and making an appropriation.
- S.B. 1352** by Montford, West State Affairs
Relating to playground safety; providing civil penalties.
- S.B. 1353** by Haywood Intergovernmental Relations
Relating to adoption of certain airport zoning regulations.
- S.B. 1354** by Haywood Natural Resources
Relating to the production of oil or gas commingled from multiple stratigraphic or lenticular accumulations.
- S.B. 1355** by Haywood Economic Development
Relating to the authority of cities, to create corporations, to levy sales and use taxes, and to utilize all functions and procedures of the Development Corporation Act of 1979 (Article 5190.6, Vernon's Texas Civil Statutes).
- S.B. 1356** by Haywood Natural Resources
Relating to the commingling of oil and gas production.
- S.B. 1357** by Haywood Natural Resources
Relating to the administrative approval of surface commingling of oil or gas or oil and gas production.
- S.B. 1358** by Barrientos Education
Relating to the creation and administration of the state postsecondary review program.
- S.B. 1359** by Gallegos Natural Resources
Relating to the Office of Natural Resource Public Interest Counsel.
- S.B. 1360** by Cain State Affairs
Relating to the operation and management of the Texas Turnpike Authority and amendments to the Act creating the Texas Turnpike Authority.
- S.B. 1361** by Shapiro Economic Development
Relating to the definitions of terms "emergency medical care", "emergency care" and "emergency services".

- S.B. 1362** by Wentworth Criminal Justice
Relating to the purposes for which a county correctional center may be used.
- S.B. 1363** by Wentworth State Affairs
Relating to required protective headgear for motorcycle operators and passengers.
- S.B. 1364** by Wentworth, Nelson Finance
Relating to a franchise tax and property tax credit for certain corporations for payment of certain tuition.
- S.B. 1365** by Wentworth State Affairs
Relating to prepaid legal services contracts.
- S.B. 1366** by Wentworth Intergovernmental Relations
Relating to delegation of duties of the tax assessor-collector and county clerk in certain circumstances.
- S.B. 1367** by Wentworth Intergovernmental Relations
Relating to the manner of filling certain vacancies by members of a commissioners court of a county.
- S.B. 1368** by Wentworth Committee of the Whole Senate
on Legislative and Congressional Redistricting
Relating to the reapportionment of state legislative, congressional, and judicial districts and the creation, function, and duties of the Texas Redistricting Commission.
- S.B. 1369** by Wentworth Intergovernmental Relations
Relating to the municipal regulation of development based on traffic within an area in a county other than the county in which the majority of the territory of the municipality is located.
- S.B. 1370** by Wentworth Economic Development
Relating to the regulation of certain staff leasing services.
- S.B. 1371** by Wentworth Natural Resources
Relating to the authority of certain political subdivisions to contract for solid waste services.
- S.B. 1372** by Wentworth Intergovernmental Relations
Relating to authorizing counties to enact ordinances in certain circumstances to protect the public health, safety, or welfare; providing a penalty.
- S.B. 1373** by Wentworth State Affairs
Relating to the revision of the open records law.
- S.B. 1374** by Wentworth Administration
Relating to arbitration of a claim against a state agency for claims arising out of a contract for the improvement of real property.
- S.B. 1375** by Wentworth Natural Resources
Relating to a municipal utility district composed of noncontiguous areas located in the extraterritorial jurisdiction of two municipalities.

S.B. 1376 by Wentworth Intergovernmental Relations
Regarding the annexation of certain areas located within certain municipal utility districts.

S.B. 1377 by Wentworth Natural Resources
Relating to recreational easements retained by the Lower Colorado River Authority after the sale of land.

S.B. 1378 by Wentworth Natural Resources
Relating to disposition of certain area acquired or improved by a political subdivision with grants of money from the Texas recreation and parks account.

S.B. 1379 by Wentworth Criminal Justice
Relating to prosecutor assistance by the Office of the Attorney General of Texas; and making an appropriation.

S.B. 1380 by Wentworth Criminal Justice
Relating to the punishment of an offense of murder during the commission or attempted commission of certain offenses under the Texas Controlled Substances Act as a capital offense.

S.B. 1381 by Wentworth Jurisprudence
Relating to the validity of arbitration agreements.

S.B. 1382 by Wentworth Economic Development
Relating to the creation of the Texas Real Estate Inspector Board and the regulation of real estate inspectors; providing a criminal penalty.

S.B. 1383 by Ellis Criminal Justice
Relating to defense and pretrial information gathering standards for indigent people who are accused of crime.

S.B. 1384 by Wentworth Jurisprudence
Relating to the recusal of judges on the supreme court and the court of criminal appeals.

S.B. 1385 by Wentworth Economic Development
Relating to appeal process and elimination of discriminatory exclusion of insurers.

S.B. 1386 by Wentworth Jurisprudence
Relating to the assignment of certain appellate judges and justices as visiting judges.

S.B. 1387 by Wentworth State Affairs
Relating to the transfer and enforceability of tax liens.

S.B. 1388 by Rosson Intergovernmental Relations
Relating to the creation of a county mass transit authority.

S.B. 1389 by Rosson Economic Development
Relating to the operation of the unemployment compensation special administration fund.

S.B. 1390 by Rosson State Affairs
Relating to motorcycle license fees and the motorcycle education fund.

S.B. 1391 by Ellis State Affairs
Relating to records and seals of notaries public and to qualification as a notary public.

S.B. 1392 by Ellis Health and Human Services
Relating to the participation in certain governmental health care programs by a licensed health care professional.

S.B. 1393 by Ellis Health and Human Services
Relating to the authority of certain nurses to exercise limited authority to prescribe drugs.

S.B. 1394 by Barrientos Finance
Relating to homestead tax exemptions for Texas residents who attain the age of 65.

S.B. 1395 by Barrientos Natural Resources
Relating to the phased annexation of a municipal utility district by a municipality and the continuation of the district as a limited district to perform certain functions after annexation by a municipality.

S.B. 1396 by Barrientos Natural Resources
Relating to the alteration in annexation status of land within certain municipal utility districts by certain municipalities and authorizing the collection of municipal sales taxes within such districts.

S.B. 1397 by Barrientos Intergovernmental Relations
Relating to the release of extraterritorial jurisdiction by certain municipalities and the inclusion of the released territory in the extraterritorial jurisdiction of another municipality.

S.B. 1398 by Barrientos Economic Development
Relating to the regulation of certain residential real estate rental locators; providing penalties.

S.B. 1399 by Barrientos Finance
Relating to the priority for reservations of the state's allotment of private activity bonds.

S.B. 1400 by Barrientos Economic Development
Relating to the regulation of certain public adjusters of insurance claims.

S.B. 1401 by Barrientos Finance
Relating to computation of benefits for retiring members of the Employees Retirement System of Texas; providing for appropriation reductions.

S.B. 1402 by Barrientos Finance
Relating to the payment of a judgment against the state in favor of Thomas P. McDill, Jr.

S.B. 1403 by Bivins State Affairs
Relating to the automatic suspension of the driver's license of a person convicted of certain drug offenses.

- S.B. 1404** by Bivins Natural Resources
Relating to notice requirements for matters within the jurisdiction of the Texas Natural Resource Conservation Commission.
- S.B. 1405** by Harris State Affairs
Relating to the investment of funds of a local government or an institution of higher education.
- S.B. 1406** by Montford Economic Development
Relating to negotiable instruments and bank deposits and collections, including a revision of Chapter 3 of the Uniform Commercial Code.
- S.B. 1407** by Harris Economic Development
Relating to contractual arrangements among health maintenance organizations and with physicians and providers.
- S.B. 1408** by Harris Jurisprudence
Relating to the parent-child relationship.
- S.B. 1409** by Harris Economic Development
Relating to settlement offers in certain personal injury suits.
- S.B. 1410** by Harris Economic Development
Relating to the inclusion of the services of licensed chemical dependency counselors in certain health insurance coverage.
- S.B. 1411** by Harris Economic Development
Relating to incentive programs to minimize the use of the Texas Automobile Insurance Plan Association.
- S.B. 1412** by Harris Intergovernmental Relations
Relating to assessments for municipal street improvements based on the amount of special benefits received.
- S.B. 1413** by Harris Finance
Relating to the determination of the market value of property for purposes of appraisal of property for ad valorem taxation.
- S.B. 1414** by Harris State Affairs
Relating to administrative hearings under the Alcoholic Beverage Code.
- S.B. 1415** by Barrientos Jurisprudence
Relating to creation of the County Court at Law Number 4 of Travis County.
- S.B. 1416** by Truan Finance
Relating to the organization of state fiscal data by the Legislative Budget Board.
- S.B. 1417** by Truan Finance
Relating to establishment of an investment budgeting pilot project for state spending.
- S.B. 1418** by Truan Finance
Relating to benchmarks for the state strategic planning process.

- S.B. 1419** by Truan Economic Development
Relating to insurance coverage for certain real property foundations.
- S.B. 1422** by Truan Intergovernmental Relations
Relating to a petition by county employees to create a county civil service system in certain counties.
- S.B. 1423** by Patterson Health and Human Services
Relating to abortions; providing penalties.
- S.B. 1424** by Lucio Education
Relating to state assistance for public school facilities.
- S.B. 1425** by Brown Intergovernmental Relations
Relating to municipal civil service in certain cities.
- S.B. 1426** by Brown State Affairs
Relating to security devices in certain rental dwellings; and declaring an emergency.
- S.B. 1427** by Sims Health and Human Services
Relating to certain minimum standards for child-care facilities.
- S.B. 1428** by Cain State Affairs
Relating to abolishing certain state governmental entities.
- S.B. 1429** by Cain Economic Development
Relating to the charging of interest under certain agreements.
- S.B. 1430** by Luna Economic Development
Relating to dedicating interest earned on trust accounts of professional sports franchises to programs for at-risk youth.
- S.B. 1431** by Zaffirini, Truan Health and Human Services
Relating to the provision and funding of emergency medical services.
- S.B. 1432** by Nelson Intergovernmental Relations
Relating to the issuance of certificates of obligation for constructing, improving, or maintaining public roads.
- S.B. 1433** by Cain Economic Development
Relating to the regulation of small telecommunications utilities and telephone cooperative corporations.
- S.B. 1434** by Cain Economic Development
Relating to collection of insurance data.
- S.B. 1435** by Sibley Jurisprudence
Relating to joint ownership of a motor vehicle by spouses with rights of survivorship.
- S.B. 1436** by Patterson Natural Resources
Relating to certain structures on coastal public land.
- S.B. 1437** by Harris Intergovernmental Relations
Relating to the county registration of dogs.

- S.B. 1438** by Brown Natural Resources
Relating to the definition of a marginal gas well.
- S.B. 1439** by Brown Jurisprudence
Relating to the nonsubstantive codification of provisions relating to arbitration.
- S.B. 1440** by Brown Natural Resources
Relating to the waste tire recycling program.
- S.B. 1441** by Brown Natural Resources
Relating to the assessment of civil penalties by the Gulf Coast Waste Disposal Authority.
- S.B. 1442** by Brown Natural Resources
Relating to the compensation of the directors of the Gulf Coast Waste Disposal Authority.
- S.B. 1443** by Brown Jurisprudence
Relating to administrative licensing.
- S.B. 1444** by Brown Finance
Relating to the period during which a person may claim a refund for taxes paid on gasoline used for off-road purposes.
- S.B. 1445** by Brown Finance
Relating to transfer of title to a motor vehicle, the collection and administration of the motor vehicle sales tax, and certain disclosures that must be made to the purchaser of a motor vehicle.
- S.B. 1446** by Brown Finance
Relating to the regulation of certain motor vehicle dealers and to the sale, titling, and registration of certain motor vehicles.
- S.B. 1447** by Bivins Natural Resources
Relating to the regulation of concentrated animal feeding operations.
- S.B. 1448** by Wentworth Jurisprudence
Relating to certain former and retired judges serving as visiting judges.
- S.B. 1449** by Galloway Health and Human Services
Relating to the name, function, and duties of the Texas Committee on Purchases of Products and Services of Blind and Severely Disabled Persons.
- S.B. 1450** by Rosson Natural Resources
Relating to the issuance of debt and financial assistance to certain persons, municipal corporations, and political subdivisions of the state for the public purpose of encouraging and assisting compliance with federal and state air quality standards.
- S.B. 1451** by Rosson Economic Development
Relating to the disclosure of installment payment plan options to consumers purchasing certain motor vehicle insurance.

S.B. 1452 by Rosson Economic Development
Relating to the use of installment payment plans for premiums required for certain motor vehicle insurance.

S.B. 1453 by Rosson Administration
Relating to the electronic availability of legislative information through the Internet.

S.B. 1499 by Montford, Ellis Jurisprudence
Relating to the operation of certain district courts and to the service of certain former judges in a judicial capacity.

MEMORIAL RESOLUTIONS

S.R. 484 - By Barrientos: In memory of Mary Betty Galt Graydon of Austin.

S.R. 485 - By Barrientos: In memory of Felipe D. Acosta of Austin.

WELCOME AND CONGRATULATORY RESOLUTIONS

S.R. 465 - By Nelson: Welcoming the members of the Southlake Youth Advisory Commission.

S.R. 466 - By Nelson: Welcoming Kaye Held and her honors United States government class from Carroll High School of Southlake.

S.R. 467 - By Nelson: Welcoming Karen Poer and her honors United States government class from Carroll High School of Southlake.

S.R. 468 - By Gallegos: Recognizing Phillip L. Ramsey on the occasion of his retirement after 40 years of service with Electronic Data Systems.

S.R. 469 - By Whitmire: Congratulating Shawn Michael Henderson of Kingwood on achieving the rank of Eagle Scout.

S.R. 470 - By Barrientos: Recognizing April 11, 1995, as Adult Day Care Day in Texas.

S.R. 471 - By Madla: Congratulating the Ozona High School Lady Lions basketball team and coaches for winning the 1995 Class 2A State Championship.

S.R. 472 - By Madla: Congratulating the East Central High School Hornets boys basketball team and coaches for winning the 1995 Class 5A Boys Basketball Championship.

S.R. 473 - By Cain: Congratulating Mr. and Mrs. Robert Kolb on the occasion of their 50th wedding anniversary.

S.R. 474 - By Cain: Extending best wishes to Melissa Hopson of Tawakoni.

S.R. 475 - By Cain: Congratulating Mr. and Mrs. J. L. Lofland on the occasion of their 60th wedding anniversary.

S.R. 477 - By Sims: Recognizing the Simpson Creek Extension Homemakers Club of San Saba County on the occasion of its 60th anniversary.

S.R. 478 - By Sims: Celebrating "Graham-Young County Community Day" in Austin on March 21, 1995.

S.R. 479 - By Sims: Congratulating Nela Talley Basco of Valley Springs on the occasion of her 84th birthday.

S.R. 482 - By Nelson: Recognizing the Best-Southwest Partnership for its contributions to the citizens of Dallas County.

H.C.R. 136 - (Ratliff): Recognizing March 22, 1995, as Paris-Lamar County Day at the Capitol.

ADJOURNMENT

Pursuant to a previously adopted motion, the Senate at 12:11 p.m. adjourned until 11:00 a.m. tomorrow, in memory of Senator Luna's niece Rosabella Saldana Najera, and in honor of the birthdays of former governors of the State of Texas: Coke Robert Stevenson of Telegraph, March 20, 1888, and Mark Wells White, Jr., of Houston, March 17, 1940.

APPENDIX

REPORTS OF STANDING COMMITTEES

The following committee reports were received by the Secretary of the Senate:

March 20, 1995

CRIMINAL JUSTICE — C.S.S.C.R. 16, S.B. 48 (Amended)

FINANCE — C.S.S.B. 279

CRIMINAL JUSTICE — C.S.S.B. 111, C.S.S.B. 149, C.S.S.B. 45

THIRTY-EIGHTH DAY (Tuesday, March 21, 1995)

The Senate met at 11:00 a.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Armbrister, Barrientos, Bivins, Brown, Cain, Ellis, Gallegos, Galloway, Harris, Haywood, Henderson, Leedom, Lucio, Luna, Madla, Moncrief,